

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 1 ONE CONGRESS STREET SUITE 1100 BOSTON, MA 02114-2023

## VIA FEDERAL EXPRESS OR BY HAND

June 10, 2010

Attached List Of Addressees

Re: GE-Pittsfield Housatonic River Site, Dispute Resolution Proceeding Before the U.S. EPA Region 1 Director of the Office of Site Remediation and Restoration

Dear Sir/Madam:

Enclosed please find my Final Decision in this matter, dated June 10, 2010. I have attached EPA's Response to GE's Statement of Position on Disputed Conditions 20 and 22 of EPA's January 12, 2010 Conditional Approval Letter to my Final Decision.

The General Electric Company (GE) invoked dispute resolution for this matter pursuant to the October 27, 2000 Consent Decree for the GE Pittsfield/Housatonic River Site. Pursuant to the Consent Decree, the portion of the Site that is relevant to this dispute was investigated under the terms of a RCRA Corrective Action Permit, which is an appendix to the Consent Decree. Because GE's August 31, 2009 Work Plan is an interim submittal under the Permit, disputes regarding these submittals are governed by Section N of the Permit. In accordance with Section N of the Permit, I have issued the enclosed Final Decision.

Sincerely,

James T. Owens, III

Director, Office of Site Remediation and Restoration

Enclosures

## **List Of Addressees**

Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice P.O. Box 7611 Washington, D.C. 20044-7611 Re: DJ #90-11-3-7611, #90-1-3-1479Z

Dean Tagliaferro EPA Project Coordinator United States Environmental Protection Agency Region 1 10 Lyman Street Pittsfield, MA 01201

Field Supervisor U.S. Fish and Wildlife Service 22 Bridge Street Concord, NH 03301

Mark Barash Office of Regional Solicitor U.S. Department of the Interior One Gateway Center, Suite 612 Newton Corner, MA 02158-2868

Ken Finkelstein, PhD NOAA Project Coordinator c/o EPA Office of Site Remediation and Restoration Five Post Office Square Boston, MA 02109

Michael Gorski Director, Western Regional Office Massachusetts Department of Environmental Protection 436 Dwight Street Springfield, MA 01103

Karen Pelto
Case Manager
Bureau of Waste Site Cleanup
Massachusetts Department of Environmental Protection
One Winter Street, 8<sup>th</sup> floor
Boston, MA 02108

Ian Bowles Secretary Executive Office of Energy and Environmental Affairs 100 Cambridge Street, Suite 800 Boston, MA 02114

Nancy E. Harper Assistant Attorney General Environmental Protection Division One Ashburton Place, 18<sup>th</sup> floor Boston, MA 02108

Susan Peterson Housatonic River Watershed Coordinator Connecticut Department of Environmental Protection 79 Elm Street Hartford, CT 06103

Mayor James Ruberto City of Pittsfield City Hall Pittsfield, MA 01201

Michael Carroll (via Federal Express or by Hand) Manager Corporate Environmental Programs General Electric Company 159 Plastics Avenue Pittsfield, MA 01201

Roderic McLaren (via Federal Express or by Hand) General Electric Company 159 Plastics Avenue Pittsfield, MA 01201

Andrew Silfer (via Federal Express or by Hand) General Electric Project Coordinator General Electric 319 Great Oaks Boulevard Albany, NY 12203

Bill Hines Executive Director, Pittsfield Economic Development Authority 81 Kellogg Street Pittsfield, MA 01201